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# HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

## Enhancing the effectiveness of the principle of periodic and genuine elections

## Report of the Secretary-General

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# I. REPLIES RECEIVED FROM MEMBER STATES

## ARGENTINA

[Original: Spanish]

[6 September 1991]

1. Representative democracy is the only system in which people can fulfil themselves and in which human rights are fully observed and promoted.

2. Democracy and social justice make it possible to achieve lasting acceptance of the values and aspirations of peoples and an irrevocable commitment to the promotion and defence of their human rights. Each nation has the right, freely and without external interference, to choose its political status and to determine its economic, social and cultural system.

3. In the holding of periodic and genuine elections, the United Nations must provide the aid and assistance expressly requested by Member States, taking special care to respect the exclusive domestic jurisdiction of requesting States, which alone have the power to organize and hold elections and to convene their respective peoples to elect their authorities.

4. From the above standpoint, the primarily technical nature of the aid requested from the United Nations must be emphasized. Such aid must be granted on an exceptional basis, in response to a request by the State concerned, or as a result of a regional or international peace process agreed among a number of States, as was the case with Haiti, Nicaragua and Namibia.

5. Latin America's experience shows that representative democracy is the preferred political system of States in the region. The efforts of the United Nations and the Organization of American States have yielded invaluable cooperation in the holding of elections in some countries of the region, clearly demonstrating the international community's commitment to strengthening democratic values on the continent.

6. The Argentine Government also believes that the consolidation and survival of democratic values and freedom in the world will be possible only when all States accede to the international instruments in force in the area of human rights and fully respect their peoples' right to self-determination and to choose their own system of government.

## AUSTRALIA

[Original: English]

[12 July 1991]

1. The Australian Government believes that free and periodic elections are the basis of any genuinely democratic system and that democracy is an essential condition for the achievement of the fundamental liberties for all to which Member States have committed themselves by accepting the Charter of the United Nations and the Universal Declaration of Human Rights.

2. It is also the Australian Government's view that the promotion of free elections is closely tied to the support of the United Nations for the universal realization of the right to self-determination, which is commonly regarded as fundamental to the fulfilment of all human rights. As expressed in both the United Nations human rights covenants (article 1, International Covenant on Civil and Political Rights; article 1, International Covenant on Economic, Social and Cultural Rights), this right requires that all peoples freely determine their political status and freely pursue their economic, social and cultural development. Since the foundation of the United Nations, the implementation of the right to self-determination has found its principal inspiration in the process of decolonization. Self-determination is not limited, however, to obtaining and preserving national independence and the concept of self-determination will remain of great importance after the decolonization process concludes. It will be so not only because of threats of external aggression but also because self-determination entails the continuing right of all peoples and individuals within each State to participate fully in the political process by which they are governed. As free and periodic elections are a major expression of the popular will (article 21 of the Universal Declaration of Human Rights; article 25, International Covenant on Civil and Political Rights) and the touchstone of the legitimacy of Governments, they are an important element in ensuring the right to self-determination.

3. The Australian Government therefore supports an increased role for the United Nations in responding to Member States' requests for assistance in conducting elections and strengthening electoral institutions and procedures. We regard strengthening the United Nations capacity to respond to such requests as a priority task for the Organization, in terms of the stated objectives of the Charter and the fundamental, universal values which inspire the Charter, the Universal Declaration and the two covenants.

4. The United Nations should be satisfied that any request for electoral assistance is genuinely motivated by a concern to protect, establish or strengthen democratic processes and to promote human rights. The Australian Government would not support any United Nations role that was sought for partisan domestic political reasons. It is also conscious that the holding of elections, while a necessary element in ensuring basic political freedoms, is not sufficient to guarantee the protection and realization of all human

rights. The Australian Government believes that the validity of elections does not rest solely on the technical proficiency with which they are conducted: free elections require that other basic human rights be respected during, before and after the election period, in particular freedom of opinion and expression, peaceful assembly and association, and that there be no structural, procedural or cultural barriers to the full participation of all citizens, without distinction as to race, sex, language or religion.

5. The Australian Government does not believe that it would be feasible or appropriate for the United Nations or its Member States to impose any electoral model or models on other States; indeed, this would not be consistent with the right of each nation to determine freely its own political, and hence electoral, system. It should be possible, none the less, for Member States to agree on the areas of technical assistance that the United Nations could help to provide which would be fully consistent with national sovereignty and self-determination. In the Australian Government's view, the following activities, directed at the efficient and fair conduct of elections, would meet this description.

Registration of voters and maintenance of electoral rolls

6. The electoral roll is basic to the conduct of elections. It is essential as a guarantee of voting rights and accurate recording of the results of elections and referendums. Technical expertise and appropriate technologies can help ensure the integrity and accuracy of electoral rolls. Even if lacking the capacity to provide such assistance directly, the United Nations could help facilitate the provisions of such assistance by Member States or intergovernmental or other organizations in response to requests by Member States. It could also encourage measures to establish and strengthen the national institutions, such as independent electoral commissions, which are responsible for preparing and maintaining electoral rolls and records.

Preparation and conduct of elections

7. Similarly, the United Nations could do more to facilitate the provision of assistance in response to Member States' requests and to encourage the establishment and strengthening of effective national institutions responsible for conducting elections. To assist Governments to conduct elections with integrity, impartiality and efficiency, assistance might be sought in such areas as prevention of electoral fraud and improved polling and vote counting procedures. The exchange of experience in cost-effective electoral procedures might also be usefully promoted; for example, Australia has considerable experience in electoral arrangements for sparsely-populated, remote areas which may be of interest to some other Member States.

Electoral "literacy"

8. While education in voting rights and the dissemination of information on electoral procedures and candidates is primarily a matter for national Governments, the United Nations may be able to assist in public information campaigns and in facilitating exchange of experience in this area.

Monitoring elections

9. The Australian Government envisages that direct participation by the United Nations in observing elections in Member States would be an exceptional activity. There have been several recent successful examples of such involvement, organized relatively rapidly and improvised to meet the particular circumstances of each election. We would support the development of principles to govern decisions on United Nations involvement in observing elections and of guidelines or terms of reference to serve as the basis for future United Nations involvement.

10. The general principles should include:

(a) That any United Nations assistance should be provided only at the request of the Member State holding the election;

(b) That the electoral process to be observed should conform with internationally accepted norms and relevant standards in United Nations instruments, in particular that elections should be by universal and equal suffrage and should be held by secret vote or equivalent free voting procedures (article 21 of the Universal Declaration of Human Rights; article 25 of the International Covenant on Civil and Political Rights);

(c) That the request should have broad political support in the country concerned;

(d) That United Nations electoral observation should cover the entire electoral process, both chronologically and geographically;

(e) That United Nations electoral assistance should be coordinated carefully with regional multilateral organizations and other groups that may be invited to participate;

(f) That decisions on United Nations assistance should be made by Member States through the Security Council, in cases in which the holding of an election is relevant to maintenance of international peace and security, or the General Assembly, if necessary in resumed session.

11. The purpose of elaborating guidelines for United Nations monitoring activities would be to develop a clearer understanding between Member States and the Secretary-General of how the United Nations could respond to any request for assistance with monitoring an election. The guidelines would cover:

(a) The purpose of an observer team;

(b) The means and timing of the team's report on the elections to the appropriate authorities in the country of the election and to United Nations Member States;

(c) The composition of and means of recruiting/selecting the observer team;

(d) The elements of the electoral process to be monitored (including registration, conduct of campaign, polling, counting and announcement of results);

(e) Standards and procedures to be followed by the observer team;

(f) Guarantees for the safety of observers and for their freedom to pursue the observer team's mandate;

(g) Financial arrangements.

12. The Commonwealth Heads of Government meeting at Harare, Zimbabwe, in November 1991 will consider draft guidelines on the observation of elections. These may be of interest to United Nations Member States.

## BARBADOS

[Original: English]

[16 October 1991]

The United Nations could respond to requests for electoral assistance by way of technical assistance. A group of senior electoral officials from democratic States could be appointed by the Organization to advise the Secretary-General and report periodically to him. This group when appointed could co-opt persons from any nation and draw on relevant expertise to assist with an analysis of the electoral process of the country in question. Such analysis would include an evaluation of electoral law, the electoral registration process, political parties and their campaigns, voter attitudes, special circumstances (i.e., civilian/military considerations), balloting process and post-election considerations including the installation of duly elected officials.

## BOTSWANA

[Original: English]

[6 June 1991]

With particular reference to operative paragraphs 9 and 10 of General Assembly resolution 45/150 of 18 December 1990, this office would tender advice as stated hereunder.

(a) The major problem of the States Members of the United Nations is that their citizens are unaware of their rights, owing particularly to the low standard of general education and largely to non-availability of information

on these matters. Therefore, the United Nations would do well to publish information on the people's rights in regard to their "rights to take part in the Government" of their countries and information which can sensitize them on the need for them to study the electoral laws of their countries;

(b) Within the Member States, teams of experts could be formed that could be made available to any Member State that requires expert assistance on any matters relating to elections. Such experts could act as advisors who would assist Member States with the drafting of appropriate electoral legislations and/or draw up suitable education programmes;

(c) Member States, especially in the developing world, are always plagued with accusations from opposition parties that elections are not free and fair. This office would not support the idea of supervision by the United Nations. However, the United Nations can always provide Member States with observer teams who could confirm either the fairness or the unfairness at the polls;

(d) Some countries, in which there have been internal disorders, might even request that the United Nations should supervise their elections. The United Nations should have the resources, both material and manpower, in order to be able to respond positively where specific requests are so made;

(e) The United Nations usually learns of denial of human rights or human rights abuses through the private press. One would think that the United Nations would do well to have its own monitoring mechanisms which can enable the United Nations Organization to have first-hand information on what goes on within the Member States. This, of course, should be done in a manner that cannot be interpreted as interference in the internal affairs of Member States.

## BRAZIL

[Original: English]

[15 July 1991]

1. The Brazilian Government is of the view that the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the relevant resolutions adopted by the General Assembly of the United Nations clearly underscore the importance of the principle of periodic and genuine elections for the realization of human rights and recognize certain general standards for their effectiveness, such as:

(a) Universal and equal suffrage;

(b) Secret vote or equivalent free voting procedures;

(c) Equal opportunity for access to public offices;

(d) Democratic freedoms, inter alia, peaceful assembly, association, opinion and expression;

(e) Impartial management of the electoral process.

2. Against the background of those broad parameters, it is also universally recognized that all States enjoy sovereign equality, having each of them the right freely to choose and develop its political, social, economic and cultural systems; and that there is no single political system or electoral method that is equally suited to all nations and their people.

3. The renewed vitality of national democratic processes observed in recent times in different regions of the world is a welcome trend which should further promote the enhancement of the process of democratization of international relations. Both at the national and international level, it is essential that democratic values and procedures be observed for the preservation of the equal rights of men and women and of nations large and small.

4. One crucial aspect for the effective promotion of those values and procedures is the strict observance of the rule of law by Governments in their internal activities and in international relations.

5. The United Nations can play an important role in responding to Member States' requests for electoral assistance and must carefully examine the appropriate modalities of, and conditions for, such assistance, taking into account the specificities of each request.

6. As to the modalities, a distinction should be made between electoral processes conducted within the context of a dispute settlement plan worked out under the auspices of the United Nations and the requests for technical assistance made by a Government in support of its internal electoral process.

7. As to the conditions, the following principles should, inter alia, be observed:

(a) The United Nations participation should be in strict observance of the Charter;

(b) There should be a specific request by the Government concerned and a clear authorization by the competent United Nations organ, which, as a general rule, would be the General Assembly;

(c) The extent of the United Nations involvement in assisting the electoral process requested by the Government concerned should be clearly established and, as necessary, coordinated with other intergovernmental organizations whose assistance may also have been requested by that Government;

(d) The United Nations must maintain absolute impartiality in its assistance activities;

(e) The expenses for such assistance should be kept at the lowest possible level, with full cooperation of the requesting Government, and financed as far as possible by extrabudgetary resources of the Organization.

## BRUNEI DARUSSALAM

[Original: English]

[14 June 1991]

1. Brunei Darussalam agrees with General Assembly resolution 45/150 that all States enjoy equal sovereignty and have the rights freely to choose and develop its political, social, economic and cultural system. Brunei Darussalam accepts that a country may approach, if it so wishes, international organizations/specialized agencies, with a view to obtaining assistance to promote and strengthen its electoral constitution and procedures.

2. As with many other countries, Brunei Darussalam strongly adheres to the principles of non-interference in the internal affairs of other nations, based on mutual respect for the independence, sovereignty, equality and territorial integrity of all nations.

3. The Ministry has further the honour to state that the people of Brunei Darussalam are content with the present system of Government, which is free from external interference. This system of government, based upon long tradition and custom, has brought peace, stability and progress to Brunei Darussalam.

## BULGARIA

[Original: English]

[3 July 1991]

1. The right to participate in the Government of one's country is a fundamental human right enunciated in article 21 of the Universal Declaration of Human Rights and in article 25 of the International Covenant on Civil and Political Rights and is further recognized in the major international human rights instruments.

2. The United Nations has a long experience in election monitoring and electoral assistance - starting with its first election observer mission to monitor a by-election in Korea in 1948 - election monitoring and assistance being developed as an integral part of conflict resolution efforts - for instance in the framework of peace-keeping operations or in the framework of the decolonization process. Other international organizations have also gathered significant experience in observer missions.

3. An election monitoring mission in an interested country can play a significant role in promoting human rights. The presence of an observer mission often deters electoral fraud and manipulation of electoral process. The United Nations can help guarantee impartiality and balance, given the variety and complexity of situations in connection with the need for electoral assistance and supervision.

4. The aim of any United Nations election monitoring system should be above all to render assistance to the country concerned on the request of the latter, especially in a period of transition to a democratic system of government.

5. In order to create a sound legal basis for the future role of the United Nations in election monitoring and assistance, the Republic of Bulgaria considers it substantial that international election standards be elaborate and accepted universally.

6. To that end it would be appropriate that a report be prepared containing an evaluation of the experience of intergovernmental organizations, and the United Nations in particular, in election monitoring, specific proposals for the creation of United Nations guiding principles or standard minimum rules for conducting periodic and genuine elections fixing uniform criteria for the assessment of electoral processes, as well as proposals as to what structures within the United Nations Secretariat are suited most to coordinate the relevant activities of ad hoc structures and how their financing should be secured.

7. Relevant provisions of regional agreements should be fully taken into account, for instance the document of the Copenhagen meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe, and in particular its part 1.7.

8. We also share the view that the independence, impartiality and objectivity of the observers are of primary importance, as well as keeping up with the principle of equitable geographic representation both in an eventual permanent body and in future missions in the field.

9. The Bulgarian Government, bearing in mind the serious financial constraints both on the regular United Nations budget, as well as on the countries that need assistance most, shares the view that a voluntary fund should be established in order to finance participation of United Nations units and recruited observers in election monitoring.

10. The Government of the Republic of Bulgaria, in the spirit of its firm commitment to ensuring international cooperation in the further promotion and protection of universally recognized human rights and fundamental freedoms, which lies at the core of both its domestic and foreign policy, highly appreciates the efforts of the United Nations to define and implement yet another important right proclaimed in the Universal Declaration of Human Rights and expresses its readiness to contribute to the future work of the United Nations in this field.

## CHILE

[Original: Spanish]

[7 October 1991]

1. The first thing that should be established in this connection is that the United Nations must take a pcsitive attitude to requests for electoral assistance. In other words, in view of the basic elements of the agreement already mentioned, which is based on the Charter of the United Nations, on the Universal Declaration of Human Rights and on the International Covenant on Civil and Political Rights, all that need be emphasized is that the United Nations must provide such assistance when it is formally requested by a Member State.

2. Imposing electoral assistance when the country concerned has not requested it would be interference in its internal affairs and would undermine its national sovereignty.

3. Having made this general comment, in the light of experience already gained in this area, let us analyse what requests a Member State might make in the area of electoral assistance.

4. Normally States request the following kinds of electoral assistance among others:

(a) Technical cooperation in preparing the electoral rolls, in other words, the country's national register of electors;

(b) Cooperation in the area of voting mechanisms and electoral systems;

(c) Advice on the purchase of computers or electronic equipment for electoral use;

(d) Resources for the above purchases;

(e) Electoral observation, involving the use of advisers on election day for technical purposes and to give credibility to the process.

5. The variety and nature of electoral assistance requirements thus requires that the organ providing such assistance be multifaceted in its technical composition in order to cooperate effectively.

6. The non-governmental body which has come the closest to providing comprehensive electoral assistance is the Centre for Electoral Training and Promotion (CAPEL), which is under the authority of the Inter-American Institute of Human Rights. CAPEL owes its excellence to the establishment of associations of electoral bodies of Central America and the Caribbean and of South America bringing together all the electoral bodies of those regions. In others words, CAPEL, in cooperation with these bodies and with financing from

international agencies, such as the International Development Association, and European agencies, has in the past managed to cover virtually all the assistance needs of Latin American electoral bodies.

7. This example might serve as a model for international regional bodies, and indeed for the United Nations itself in designing a process for providing electoral assistance to its Member States.

8. The legal status of electoral bodies throughout the world varies so considerably that it would be impossible to typify them exhaustively. Broadly speaking, we can say that they range from a fourth branch of government, with very broad decision-making powers and autonomy, to mere public services dependent on a ministry or else a division of a country's registry office.

9. This point is important in determining who is to receive the electoral assistance. There has been a gradual trend at the international level towards greater autonomy for electoral bodies and their separation from the political powers.

10. If the United Nations were to provide electoral assistance, it would do well to study the functioning of CAPEL, which has found intelligent solutions to some of the problems raised by the provision of such assistance, particularly the weakening of the national electoral body.

11. Any United Nations structure in the area of electoral assistance will have to first tackle the following aspects:

(a) Creation of an electoral unit within the United Nations, with close links and ties in electoral matters to national electoral bodies, enabling electoral teams to be put together fairly fast and efficiently;

(b) Establishment of a specialized electoral documentation and analysis centre;

(c) Establishment of a special fund for electoral cooperation with countries whose possibilities of self-financing are very limited;

(d) Coordination with international regional bodies and non-governmental bodies which have carried or are carrying out electoral technical assistance activities.

12. The experience so far gained in this area demonstrates the usefulness of setting up electoral bodies and providing their staff with technical training as a necessary complement to any technical assistance that may be offered.

13. Lastly, it should be borne in mind that electoral processes take a long time to prepare and have a variety of technical facets. Accordingly, in responding to requests for electoral assistance, these two aspects will have to be taken into account, namely, the duration of the cooperation and the specific technical competence needed to meet the corresponding request.

14. Solving this problem is a complex and difficult task and means dealing with a variety of technical aspects, some of which have been mentioned in this note.

## CHINA

[Original: English]

[11 July 1991]

1. The Government of China has always maintained that the political, social, legal, as well as electoral systems of a country are internal affairs of this country and should be established in accordance with the legislative procedure of the country. According to the purposes and principles of the Charter of the United Nations, the United Nations does not have the mandate and authority to intervene in the internal matters, including electoral matters, of its Member States.

2. Up to the present, the United Nations has only provided electoral assistance for related countries in special circumstances, such as in connection with decolonization and the resolution of conflicts that jeopardize world or regional peace and security, or at the invitation of individual sovereign States. Therefore, there is no universal need for the United Nations to provide assistance for the normal electoral matters of its Member States.

3. Since there exist big differences among countries in the world in terms of their political, economic, social and legal systems, historical backgrounds, as well as cultural traditions, consequently, it is impracticable to establish a single machinery of electoral assistance suitable to all countries under all circumstances. The Chinese Government holds that it is the sovereign right of each Member State to decide whether to accept the electoral assistance of the United Nations, and such decision should be made by the Governments concerned. Only when a sovereign State has made a request can the United Nations begin to study and decide on ways, means and methods of the assistance with this country.

## COLOMBIA

[Original: Spanish]

[27 May 1991]

1. With regard to the first of the resolutions mentioned, I suggest that you consult the Colombian Government's reply of 15 January 1991 to Centre for Human Rights memorandum G/SO 214(25-2).

2. Enclosed with that reply was volume IX of the President's report to the Congress, entitled "Eight political reforms for popular sovereignty", in which some of these reforms are outlined, especially those relating to the popular election of mayors, direct participation by the people, the reform of the electoral system, the modernization of election campaigns and the reform of political parties.

3. The chapter describing the reform of the electoral system demonstrates the Colombian Government's interest in modernizing, promoting and enhancing the electoral system with a view to strengthening democracy, so that the authority to govern will be based on the will of the people as expressed in periodic and genuine elections.

4. By means of Act 62 of 1988, the use of voting cards was introduced in presidential elections. This Act guarantees that voters can freely exercise their right to vote by using such cards.

5. In previous presidential elections, a change had been made so that the right to vote could be exercised in a booth away from the voting tables and from public pressure.

6. The use of a card and of graphic means (photographs of the candidates with their names alongside) has made it easier for voters to indicate the candidate of their choice.

7. Formerly, ballots were printed by the political campaigns themselves, according to a format previously determined by the Board of Elections, and were distributed at voting sites by representatives of the candidates. This enabled some unscrupulous persons to deliver their ballots to voters before the election and thus to exert undue pressure on their choice.

8. The names of all the registered candidates are printed on each card provided by the Board of Elections, thus obviously reducing the cost of the campaigns (annex 1).

9. Likewise, Act 6 of 1989 modifies some aspects of Decree 2241 of 1986, also known as the Electoral Code. Among other things, it expands the functions of the National Registrar and commissions, electoral bodies to oversee the preparation and holding of elections and referendums, thus establishing the mechanisms necessary for the will of citizens to be expressed clearly and freely. Act 6 provides the technical, human and material resources necessary for the electoral process to take place in a suitable manner with the requisite guarantees (annex 2).

10. In addition, Decree 714 of 1990 made available to presidential candidates the official channels of the mass media, with a view to facilitating the dissemination of their views and programmes (annex 3).

11. Moreover, Decree 926 of 1990, also known as the Electoral Guarantees Statute, allocated, for the first time in the country's history, specific

resources to finance the cost of political campaigns, with a view to giving all political parties and movements an equal opportunity to participate in the electoral contest (annex 4).

12. All of the above provisions were adopted because of the Government's belief in the need to strengthen the right of citizens to participate increasingly in a political system based on shared, egalitarian citizenship and on the exercise of universal suffrage through periodic and genuine elections.

13. During 1990, Colombians went to the polls on the following dates:

11 March: Popular elections of mayors, elections for the Senate, the House of Representatives and councils at the local level (intendencias and comisarías) and the Liberal Party referendum.

27 May: Elections for President of the Republic and for the National Constituent Assembly.

9 December: Elections to designate members of the National Constituent Assembly.

14. Colombia upholds the principle of the Charter of the United Nations, based on the right of all peoples freely and without external interference, to determine their political system status and to pursue their economic, social and cultural development, and on the duty of every State to respect that right.

15. President Cesar Gaviria Trujillo, in his statement to the General Assembly at its forty-fifth session on 26 September 1990, said:

> "Our relations with the community of nations are constantly guided by the principles that guarantee civilized coexistence among peoples. Defence of and respect for international law, the legal equality of States, the peaceful settlement of disputes, respect for pluralism, rejection of the use of force, and above all, non-intervention and the self-determination of peoples - they are the principles that guide our international policies."

## CUBA

[Original: Spanish]

[16 July 1991]

1. In the Cuban Government's view, any analysis of this question must of necessity begin with recognition of the principle of equal rights and self-determination of peoples, which is the cornerstone of the Charter of the United Nations and of the other international instruments derived therefrom.

This principle, therefore, includes the right of all peoples and nations, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development.

2. In this connection, electoral processes have always been construed as matters falling strictly within the domestic jurisdiction of States and as fundamental and legitimate expressions of their political sovereignty.

3. Accordingly, my Government once again affirms that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitution and national legislation. This affirmation is based on the understanding and the conviction, which my Government shares, that there is no single political system or single model for electoral processes equally suited to all nations and peoples, since electoral processes are subject to historical, political, cultural and religious factors. There would be no room for international coexistence in a civilized world if each government demanded that others adopt a form of organization identical to its own.

4. Thus, any activity that attempts, directly or indirectly, to interfere in the free development of national electoral processes, in particular in the developing countries, or that intends to sway the results of such processes, violates the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. As a result, there can be no doubt that such processes are not in any way a legitimate sphere for intervention or participation by other States, either bilaterally or through any multilateral structure, including the United Nations.

5. From this standpoint, which is based on international law, the Cuban Government has rejected, and will continue to reject, any initiative concerning national electoral processes which seeks to establish legislative bases or structures legitimizing and justifying interference in matters within the domestic jurisdiction of States and subjecting national institutions and indigenous political practices to pre-established foreign models that are contrary to national sovereignty.

6. It is a well-known fact that some powerful countries provide substantial financial resources and various kinds of "technical assistance" to political parties and electoral candidates in developing countries, as a means of interference and in order to impose their own models and Governments on such countries, in flagrant violation of all the norms of international law. Those who, in one way or another, are the victims of such a policy cannot allow the United Nations to become a tool of the hegemonic goals pursued by that policy. In any case, it is incumbent upon the Organization to reject such practices and to appeal to all States, firmly and unequivocally to abstain from financing or providing, directly or indirectly, any other form of overt or covert support for political parties or groups or electoral candidates, and from taking actions to undermine the electoral processes in any country.

7. With regard to paragraphs 9 and 10 of resolution 45/150, entitled "Enhancing the effectiveness of the principle of periodic and genuine elections", my Government believes that, while the United Nations has participated in some electoral processes in the recent past and while there may even be some experiences of this kind in the future, such participation is of an exceptional nature and no principle or established practice should be derived therefrom. What we are talking about are very specific circumstances in which United Nations involvement in the negotiated settlement of international conflicts - linked, in some cases, to the decolonization process - and the conduct of electoral processes in the context of solutions negotiated by the parties to the conflict, have resulted in the Organization's participation. Only in this way could such participation not be construed as incompatible with the Charter and other instruments of international law referred to above.

8. To seek to convert the United Nations into a kind of organization for monitoring, organizing or verifying electoral processes in sovereign and independent countries is tantamount to denying the very concepts of self-determination and popular sovereignty.

9. The factors which generally prevent many third world peoples from achieving the desired political stability and social harmony are not necessarily related to a lack of political institutions and appropriate electoral machinery, but rather to others such as underdevelopment, unfair terms of trade, external debt and the reverse transfer of capital which have thwarted the establishment of a new international economic order and which, combined with the persistent interference of foreign Powers in their internal affairs, make it difficult for them to devise appropriate, effective responses to the tremendous political and social tensions thus engendered.

10. In our view, therefore, there is no justification nor any real need for the United Nations to establish specialized capacities over and above those which it already possesses with regard to a possible role in the electoral processes of Member States. On the contrary, Cuba believes that the ideas put forward on this subject in General Assembly resolution 45/150 are inappropriate and contrary to the Charter and to applicable international law.

11. I am enclosing, as an annex, a document entitled "El sistema electoral cubano, determinación libre de nuestro pueblo"*. Prepared by the National Assembly of People's Power, it concisely summarizes Cuba's experiences in conducting genuine, authentic and periodic electoral processes.

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* Available for consultation in the Secretariat.

## CZECHOSLOVAKIA

[Original: English]

[16 July 1991]

1. The Government of the Czech and Slovak Federal Republic considers the full realization of the principle of periodic and genuine elections as one of the most efficient guarantees for a democratic and pluralistic society and respect for human rights of all its individuals. The recent historical experience of the Czech and Slovak peoples, characterized by the 40 years of existence of the one-ruling-party political system, with its consequent negative impact on democracy and human rights, has brought Czechoslovakia to this conclusion.

2. The said historical experience has also proved that not only the equal opportunity provided for every citizen to participate in elections is important, but the possibility of every individual to express his or her will freely without any interference is also an indispensable precondition for the realization of the right to take part in the Government of his or her country, as set forth in article 21 of the Universal Declaration of Human Rights, as well as in article 25 of the International Covenant on Civil and Political Rights.

3. The Government of the Czech and Slovak Federal Republic fully supports the United Nations activities in the electoral assistance provided at the request of Member States. These activities correspond to the fundamental purposes and principles of the United Nations Charter, especially those governing friendly relations among nations and the principle of self-determination of peoples. Czechoslovakia itself has had a good experience with the international electoral assistance provided by the Council of Europe, during last year's parliamentary as well as municipal elections. The Government highly estimates the election monitoring provided by the United Nations, for instance, in Haiti, or, in the framework of broader peace-keeping operations, in Nicaragua and Namibia, which significantly contributed to the successful outcome of respective elections and safeguarded the free expression of the will of the people concerned. It also observes with great hopes the similar United Nations activities in the current process of the settlement of such complex situations as those in Western Sahara and probably also in Cambodia and Angola.

4. Having considered operative paragraph 9 of General Assembly resolution 45/150, the Government of othe Czech and Slovak Federal Republic proposes the following ideas concerning the ways in which the United Nations can respond to the request of Member States seeking to promote and strengthen their electoral institutions and procedures:

(a) The electoral assistance should always be based upon the principle of voluntaries, i.e., only at the request of the Member State holding the election;

(b) The electoral assistance should touch upon the whole electoral process in requesting States;

(c) The United Nations should create a register or special group of eminent experts in this field that would be provided with all the necessary facilities and powers in order to organize their activites in requesting States;

(d) The United Nations should work out the set of principles and conditions under which a United Nations electoral assistance mission would function, as well as the financial and material aspects of the relevant activities;

(e) Member States should consider the ways for coordinating such activities with other intergovernmental and non-governmental organizations which are active in this field on the national, regional, as well as international plane.

## ECUADOR

[Original: Spanish]

[5 September 1991]

1. Electoral processes are the internal affair of each State; they are an inalienable expression of its sovereignty and an exclusive manifestation of its internal authority and jurisdiction. This is an indisputable principle of the doctrine and practice of international law which must be respected and strengthened in all its aspects and in all circumstances. Any election is a formal political expression of democracy, responding to the internal components of each society, and must be undertaken in complete freedom and independence, without external influences of any kind.

2. Any outside participation in a country's electoral processes would be contrary to the very concept of democracy and both a violation of the universal principle of non-intervention and an attack on the sovereignty of each country. It is precisely the principle of the sovereign equality of all Members of the United Nations, enshrined in Article 2 (1) of the Charter of the United Nations, which guarantees the right of each State freely to choose its Government and its system of political organization.

3. For all the above reasons, Ecuador believes that the United Nations must comply faithfully with Article 2 (7) of the Charter in so far as electoral processes and the holding of elections, which are matters essentially within the domestic jurisdiction of States, are concerned.

4. However, Ecuador believes that there are exceptional circumstances in which the United Nations could provide electoral assistance, and has in fact done so, without violating the above-mentioned principles. For it to do so,

certain essential conditions must be met: firstly, such assistance may be granted only when a country expressly and unequivocally requests it; secondly, such assistance must be restricted to the technical aspects of electoral operations, since there must be no interference in the political process per se, which always falls within the exclusive competence and responsibility of the State.

## GHANA

[Original: English]

[9 October 1991]

1. There already exists within the United Nations system an arrangement in pursuit of the overall United Nations objective of promoting international peace and security by which the international community responds on an ad hoc basis to requests by Member States for assistance, as they seek to promote and strengthen their electoral institutions and procedures. Recent examples have been the successful supervision undertaken by the United Nations in Nicaragua, Haiti and El Salvador over the last year.

2. The new United Nations role in electoral supervision was not envisaged by the architects of the Organization and therefore not provided for in the Charter of the United Nations. Accordingly, and considering the sensitive nature of the exercise, it might be in the interest of preserving the integrity of the organization to consider each invitation on its own merit. In that regard, maintaining the present practice of giving consideration to each request as it comes remains the most desirable. It is our belief that any attempt at institutionalizing the practice could lead to a process whereby the very sovereignty of States which remains the bedrock of the internationalization and democratic fixture of the United Nations will be under severe strain and consequent negation.

3. Financing of such programmes could be made through the creation of a voluntary fund for that purpose.

4. As with all dealings between the United Nations and Member States, care must be taken to ensure that the modalities for the operation are covered in an agreement of understanding to be signed between the United Nations and the Government that requests such assistance. Such an agreement should spell out, in detail, the requirements of the country, the role of the United Nations and the duration of the United Nations presence to help preserve the integrity of both host country and the United Nations.

5. Further in the assessment of invitations for electoral supervision, care must be taken by the United Nations to ensure that no foreign interference is allowed within the framework of its electoral assistance work. That the electoral system concerned and processes are in accord with the wishes, aims and aspiration of the people concerned, and is by no means an imposition from any vested external entities.

## INDIA

[Original: English]

[15 July 1991]

India is of the view that the United Nations Secretary-General should first consult Member States to ascertain what possible role the United Nations can play in assisting those Member States which desire such assistance in holding elections. It is also of the view that, at the first stage, the process of consultations should be limited to Member States of the United Nations.

## INDONESIA

[Original: English]

[19 July 1991]

1. General elections are a concrete manifestation of democracy through which the people exercise their right to freely choose their representatives.

2. Indonesia recognizes and respects each State's sovereign right to hold periodic and genuine elections in their respective countries.

3. No one pattern or system of general election exists that can be applied to all States. The electoral process is specific to each State's national situation and sociocultural conditions, as well as its historical background. All States should respect the electoral system or method used in each State in accordance with that State's national laws and legislation. No extraneous attempts should be made to interfere with or influence the results of the electoral process in any country.

4. Indonesia could agree in principle with the provision of electoral advice assistance by the United Nations if it is requested by a Member State.

## ISRAEL

[Original: English]

[12 June 1991]

The Government of Israel views favourably the development of suitable approaches that will permit the United Nations to respond to the requests of Member States for electoral assistance. It supports the idea of examining carefully the type of assistance the United Nations should provide and the conditions under which it will be furnished, as well as considering the mechanisms that could be used in providing assistance as effectively as possible. Such assistance should be provided only at the request of the Member State holding the election.

## JAMAICA

[Original: English]

[8 October 1991]

1. The Government of Jamaica is of the view that the United Nations could assist Member States in enhancing the effectiveness of their electoral systems by helping them gain access to sources of new technology and obtaining equipment for improving the conduct of elections. The Government also suggests that the United Nations could serve as a centre and reference point for providing information about new technological advances in this field, which would facilitate the objective of holding fair elections. Further, it is also recommended that the United Nations should serve as a source of well-needed financial aid to developing countries in the acquisition of appropriate equipment which can be expensive.

2. The Government is currently re-examining Jamaica's electoral system with a view to introducing fundamental changes. This includes an examination of the technological and financial feasibility of introducing computerized registration and voting system on the basis of fingerprint identification technology. The Government has inquired about the possibility of obtaining information about available technology in this field and financial aid in meeting the expenditure which would be involved in acquiring equipment when the Government's current examination has been completed. It is felt that the Jamaican profit, if successful, could serve as a model for electoral systems in other developing countries.

## JAPAN

[Original: English]

[16 July 1991]

1. The United Nations has successfully provided electoral assistance to several States that requested it. Japan regards such assistance as essential in promoting and encouraging respect for human rights and fundamental freedoms for all.

2. It is necessary to make a careful study of the organizational mechanism the United Nations uses in providing electoral assistance, and the terms and conditions under which electoral missions would be appropriate, in order to ensure the effectiveness of such assistance.

3. United Nations electoral assistance should be provided only with the support of the people and Government of the country concerned. Interference in the internal affairs of a country is never permissible.

LUXEMBOURG

[Original: French]

[13 July 1991]

Joint reply by the States members of the European Community

1. The Twelve actively supported the drafting of General Assembly resolution 45/150 and present as follows the joint reply of the States members of the European Community.

2. The Twelve endorse the right and the moral obligation of the international community to intervene for the protection and promotion of all human rights. They stress the prime importance of the right to vote and to be elected, at genuine periodic elections, for the full affirmation of human dignity and the realization of the legitimate aspirations of all individuals.

3. The Twelve reiterate their profound conviction that the protection of human rights and fundamental freedoms should not be construed by any person as interference in the internal affairs of a State.

4. The Twelve attach great importance to the principle of free and periodic elections as the expression of the right of peoples to self-determination enshrined in the Charter of the United Nations, as well as to article 21 of the Universal Declaration of Human Rights and also article 25 of the International Covenant on Civil and Political Rights, which recognizes the right of every citizen to take part in the conduct of public affairs, to vote and to be elected, and to have access to public service in his country.

5. Under the Charter, the United Nations intervenes in accordance with different procedures tailored to suit the particular situation. In certain situations, where regional peace and security are threatened, the Security Council intervenes, acting within its competence to organize elections for instance, as was the case in Nicaragua. In general terms, however, the Community and its member States consider Articles 55 and 58 of the Charter, on international economic and social cooperation, to be the basis for United Nations intervention.

6. The principle of free and periodic elections is applied, for example, in activities to enhance the effectiveness of the principle of periodic and genuine elections, as well as in electoral assistance.

7. The successes scored in this area in Namibia, Nicaragua and the Republic of Haiti will permit the further development of this assistance. The positive lessons which can be drawn from these experiences will be useful in the preparation of future support in this area, particularly in countries which are embarking on the process of democratization. In this respect, the Twelve are following with interest the operations of the United Nations Observer Mission in El Salvador (ONUSAL).

8. The holding of free elections is a decisive step towards the achievement of self-determination by the peoples concerned. The Twelve believe that the exercise of the right to self-determination is a continuous process, not an isolated event. Peoples should be free to choose their Governments and social systems, in accordance with the provisions of the International Covenants.

9. Numerous countries in Africa and other regions of the world which are moving towards democracy are seeking electoral assistance from the United Nations. In response to such requests for assistance, the Twelve have taken part in United Nations initiatives in this area in the past, for instance through the Centre for Human Rights at Geneva. They provide material support in the form of experts and financial contributions. They will continue to provide this support in the future to enable the United Nations to respond to the many requests for assistance.

10. In accordance with its initial mandate (General Assembly resolution 926 (X) of 14 December 1955), the Centre for Human Rights administers an extensive programme of assistance in the field of human rights. This technical assistance, provided in the form of an international interchange of experience through cooperation, represents one of the means of attaining the human rights objectives established by the Charter and the Universal Declaration.

11. Designed with the aim of promoting human rights, United Nations advisory services are increasingly providing assistance of a general nature to Governments wishing to strengthen their national democratic infrastructures.

12. The Twelve are keenly aware of the important role of regional, intergovernmental and non-governmental organizations in the provision of electoral assistance. They would like to draw attention here to the initiatives taken by the States participating in the Conference on Security and Cooperation in Europe (CSCE) at the Paris Summit held in November 1990, which included the establishment of a CSCE electoral assistance centre at Warsaw. Other agencies within the United Nations system could also contribute to the efforts of the Centre for Human Rights, for instance through United Nations resident representatives.

13. The Twelve believe that the task of electoral assistance merits not only increased support from all Member States, but also the strengthening of these activities by the Secretary-General, in order that the many requests addressed to the different United Nations organs may be more effectively answered.

14. The Twelve continue to reject the ideas set forth in General Assembly resolution 45/151. Its authors arbitrarily select principles from the Charter as justification for denying exercise of the right to free and democratic elections. The Twelve call on the Secretary-General to prepare separate reports on the two resolutions.

15. A clear and straightforward political mandate should be established on a case-by-case basis, to permit the participation of the United Nations in all stages of the electoral process.

16. Activities to enhance the effectiveness of the principle of periodic and genuine elections, particularly through electoral assistance, will have to form part of a general United Nations strategy. These activities can be undertaken only with the agreement of the State concerned and with the approval of the competent organ of the United Nations.

17. The Twelve wish to reiterate their adherence to the principle of electoral assistance, which embodies not only the letter, but also the spirit of our universal commitment in this area.

18. They believe, furthermore, that it is incumbent upon the Secretary-General, with the assistance of Member States, to concentrate the necessary existing resources, including personnel within the Secretariat. They emphasize the importance of allocating the necessary funds to the Director of the Centre for Human Rights, so that the Centre can contribute more effectively to electoral assistance operations and play a leading role in this area.

## MALTA

[Original: English]

[8 July 1991]

1. The Government of Malta, as one of the co-sponsors of General Assembly resolution 45/150, has been active in encouraging the United Nations Organization to strengthen its capacity to enable it to carry out an effective role in enhancing the process of periodic and genuine elections.

2. The Government of Malta considers that the democratic values of a country are significantly manifested through periodic and fair elections with universal suffrage in which all political parties participate freely through secret ballots. The Government of Malta subscribes to the right and moral obligation of the international community to promote the protection and enhancement of fundamental human rights and emphasizes the primary importance of the right to vote and to be elected in the course of genuine and periodic elections as basic to human dignity and the fulfilment of legitimate aspirations of all individuals.

3. Since its independence in 1964, Malta has continued to consolidate in an elected Parliament the processes of voter participation in successive elections under provisions that form an integral part of the Constitution of Malta. A new electoral law is currently being debated in the House of Representatives designed to respond to the contemporary needs of the country.

4. The role of the United Nations in the enhancement of periodic and genuine elections is to be encouraged and recommended. As the guarantor of world peace and security, the contribution of the United Nations in this field would complement other efforts being made to encourage participation in the

democratic process world wide. The terms and conditions under which United Nations assistance would be appropriate, the personnel and material as well as the financial aspects required for the monitoring of elections, possibly by a team of United Nations experts, should receive detailed study.

5. The "Framework for future efforts" annexed to resolution 1989/51 adopted by the Commission on Human Rights on 7 March 1989, provides a valuable input and could serve as a basis for the elaboration of norms in enhancing adherence to the principle of periodic and genuine elections.

6. Lessons learned from recent elections in Namibia, Nicaragua and the Republic of Haiti have been positive. On the basis of this experience, the United Nations should be encouraged to play a more meaningful role in enhancing the effectiveness of the principle of periodic and genuine elections, including the development of United Nations electoral assistance programmes. In this regard, the Government of Malta supports the view that, should such assistance involve election monitoring, it should cover the entire electoral process, in order to secure conditions of fairness and impartiality. Also, where the introduction of a United Nations presence in the electoral process of a State at a critical point in its political life is sought by a State, it is necessary that there is broad support in the State concerned for the United Nations assuming such a role.

7. It is also important that ways should be found to harmonize and coordinate the efforts of the United Nations with those of other intergovernmental and non-governmental organizations that are already active in promoting democratic values through periodic and fair elections. The Government of Malta recognizes the important role of regional, intergovernmental as well as non-governmental organizations in formulating and implementing electoral assistance programmes. In this regard, it is necessary to establish in each case a clear political mandate that will allow coherent and effective responses to situations affecting the enhancement of periodic and genuine elections.

## MAURITIUS

[Original: English]

[22 May 1991]

1. Periodic and genuine elections are necessary in every democratic State, but the electoral laws, procedures and processes of a State depend almost entirely on its political system.

2. It is also patent that the electoral systems of even democratic States differ radically or slightly from one another, but what should be clear is that no particular State should emphatically conclude that its system is a better one when compared to that of another State, as any attempt at such comparison should legitimately be linked with such vital issues as tradition,

society, religion and above all the economic and political conditions of that State.

3. The life of a Parliament depends on the political and electoral system of the country. It differs from country to country; it may be three or five years, but it is essential that elections are held periodically and based desirably on a broad franchise and on freedom of all political parties to participate to ensure a democratic form of government and to avoid, as much as possible, arbitrariness or despotism. Elections should be free and fair. They should express the wish and the free will of the electorate.

4. It is impossible to have one common language for the whole human race; it is therefore not irrational to conclude that it is humanly difficult - if not impossible - to have only one electoral system suitable to every country of the world. There should be some sort of tolerance provided human needs and values are recognized and respected. A State should not be hampered from the outside, that is, from other powers; its decisions should be sovereign and any attempt to clogging its domestic policy may be viewed as an arrogant move towards dictatorship.

5. The electoral law of Mauritius is found in the Constitution of the country, the Representation of the People Act, the regulations relating to the general elections, municipal elections and village council elections and the various ordinances and government notices amending them.

6. The Government of Mauritius has in the past placed at the disposal of the international community the services of its Electoral Commissioner for various assignments such as: observing elections in Romania and reviewing the Electoral Laws and Procedures of Senegal at the request of the National Democratic Institute for International Affairs in Washington; writing the draft electoral law for the referendum in the Western Sahara at the request of the United Nations; and observing the recent parliamentary elections in Bangladesh at the request of the Commonwealth Secretariat.

7. The Government of Mauritius will be pleased to make further contributions, if requested by the international community, to the promotion and strengthening of electoral institutions and procedures among Member States.

## MEXICO

[Original: Spanish]

[20 June 1991]

1. On this subject, the Government of Mexico considers that the world-wide process of democratization will be strengthened if the agreed standards for human rights and fundamental freedoms become truly universal. To that end, it is vital for all States to adhere fully to the International Covenants on Human Rights, in which the right of peoples to self-determination and their freedom to determine their own political status are emphasized.

2. How and when States choose to organize, hold and assess electoral processes is a matter falling exclusively within their domestic jurisdiction. United Nations technical assistance with such processes must be understood in that context. Assistance must only be given at the express request of Governments.

3. A distinction should be drawn between technical assistance provided to Governments in electoral processes as a result of a peace agreement, as was the case in Namibia, and assistance given to support a domestic electoral process. The latter kind of assistance would be given only at the request of the State concerned.

4. The technical assistance in electoral matters that the United Nations gives to Member States must always adhere to the basic principles laid down in Article 2 (7) of the Charter, which states that the United Nations shall not intervene in matters which are essentially within the domestic jurisdiction of States and that Members shall not be required to submit such matters to settlement under the Charter.

5. The Government of Mexico also considers that one of the great advances in the world today is the spread of democratic forms of government. That process has taken place in several parts of the world, where different but genuinely democratic political systems have been evolving. The Government of Mexico deems it vital that the right of each nation to choose its own political system, on the basis of its own national character and history, be respected.

6. The participation of the international community can help create external conditions that are propitious to democracy. Accordingly, the international community's responsibility is to foster conditions that will encourage the economic development of States. United Nations involvement must be aimed at the adoption of practical measures to combat the poverty that is afflicting the great majority of developing countries.

## NEPAL

[Original: English]

[3 July 1991]

Being a party to General Assembly resolution 45/150 of 18 December 1990 and also a signatory to the Universal Declaration of Human Rights and to the International Covenant on Civil and Political Rights, His Majesty's Government of Nepal is happy to inform that the general elections held recently in Nepal for members of the House of Representatives were free, fair and orderly. Several national and international observers also witnessed the elections at various poll centres throughout the Kingdom. The successful completion of the general elections, with more than 60 per cent of voter turn-out, further confirms Nepal's commitment to the principles and objectives contained therein. His Majesty's Government is determined to honour and implement fully

the democratic values and fundamental human rights in its national and international policies. His Majesty's Government wishes to take this opportunity to assure the United Nations of its full cooperation in translating these principles into reality.

## NICARAGUA

[Original: Spanish]

[7 October 1991]

1. Nicaragua benefited from the presence of United Nations observers during its electoral process and believes that this was a landmark event on its difficult but irreversible course towards preserving and strengthening democracy and promoting all-round development.

2. Nicaragua believes that United Nations involvement in the provision of technical support to electoral processes must be in strict response to a request made by a State in full exercise of its sovereignty and independence. Furthermore, such requests for electoral cooperation must be evaluated on a case-by-case basis, on their own merits and in the light of the situation prevailing in the country in question, using whatever mechanisms and procedures are applicable in each case and complying fully with the provisions of the Charter of the United Nations. The preparation and holding of electoral processes falls within the exclusive domestic jurisdiction of States.

3. It would be advisable to strengthen the institutional capacity of the United Nations to organize and send observer missions to countries which, acting in exercise of their sovereignty and of their right to self-determination, request such assistance.

4. It would also be advisable for the request for observation of an electoral process to cover, to the extent possible, all stages of that process.

5. Experience has shown that electoral observation can prove to be an instrument that helps build confidence in democratic processes and national reconciliation processes. Countries experiencing situations of internal crisis, characterized by extreme polarization and confrontation, may find in electoral observation a highly effective mechanism for promoting collective security, confidence and peace. Requests from States confronting domestic situations of this kind must therefore be given priority or special consideration.

6. Observation of electoral processes must not be conceived as the evaluation of such processes. Observation must be an active process capable of yielding practical recommendations for solving specific problems. Electoral observation must be a factor that encourages voters to participate more widely in elections and stimulates their faith and belief in democracy.

7. Observers should also conduct a follow-up of the electoral process in the days immediately following the election and should have the capacity to make a "quick count".

8. Observation in the field must be the subject of regular public reports.

9. The requesting State must be able to offer a legal framework which safeguards the privileges and immunities of the group of observers.

## NORWAY

[Original: English]

[14 June 1991]

1. Norway voted in favour of General Assembly resolution 45/150 and would like to express its firm support of the provisions of the said resolution. As regards paragraph 10 and suitable approaches that will permit the United Nations Organization to respond to the requests of Member States for electoral assistance, the preliminary views of the Norwegian Government may be stated as follows.

2. Electoral assistance from the United Nations to a Member State at the State's own request cannot in any way be regarded as an interference in the internal affairs of that Member State in the sense of Article 2, paragraph 7, of the Charter of the United Nations. Whereas electoral assistance should only be possible at a Member State's request, there should also be adequate provisions for the Organization to respond in a satisfactory manner to such a request once it has been put forward. The United Nations should be enabled to contribute substantially and constructively to enhancing the positive global trend towards multi-party democracy by facilitating the holding of free and fair elections.

3. The United Nations has increasingly been requested by Member States to assist in designing and monitoring electoral processes. The Organization's contributions in this respect, for example, advisory services from the Centre for Human Rights and the operations in Namibia, Nicaragua and Haiti, have been successful and constitute valuable experiences for the development of a more systematic United Nations capacity to respond to Member States' needs for electoral assistance in a better organized and more efficient manner.

4. In the development of a strengthened capacity for the United Nations in the field of electoral services, several organizational and financial aspects need to be considered. The Secretary-General should appoint a special representative, for example, the Director of the Centre for Human Rights, and entrust him with the task of preparing, possibly together with an open-ended working group of experts provided by interested Governments, a report to the General Assembly at its forty-seventh session, for the purpose of proposing

organizational and financial models for the Organization's electoral assistance. This task should preferably be accomplished within existing resources.

5. Among the aspects which should be considered in the report are the following:

(a) Independently of the organizational model chosen, certain terms and conditions as to relevant political and security factors should be met before the United Nations responds favourably to a request from a Member State for electoral assistance on a large scale. Terms and conditions should, inter alia, apply to the State's obligation to arrive at mutually acceptable arrangements with the United Nations, for example, as to duration and extent of the United Nations involvement and the State's own contribution to the financing of the operation, as well as the acceptance of the United Nations involvement by as wide a segment of the State's political forces as possible. In every case, a clear political mandate for the United Nations participation during all phases of the electoral process, from registration through counting of the ballots, must be established and approved by the competent organ of the United Nations;

(b) The organizational model chosen should not imply the creation of much new bureaucracy. The idea that the Secretary-General should appoint a special coordinator to be assisted by an electoral commission of distinguished experts deserves to be further explored. A main consideration should be to make the best possible use of existing international expertise in the area of elections, and not to build up a new group of experts within the United Nations Secretariat. Emphasis should be put on the coordination of United Nations efforts with those of other intergovernmental and non-governmental organizations which provide electoral assistance on a world-wide or regional level;

(c) Interested Governments should identify focal points for United Nations electoral assistance issues, for example, in their ministries of foreign affairs.

6. As regards methods of financing United Nations missions of electoral assistance, various combinations of allotment from the regular budget and voluntary contributions from States involved - including the "recipient" one - and from regional organizations could be envisaged. Special efforts should also be made to encourage participation by experts from the least developed countries in the working group (para. 3 above) and in an electoral commission which may be set up, as well as to enable election observers from least developed countries to take part in electoral assistance operations. To this end the establishment of a "democracy fund" to be financed by voluntary contributions would merit consideration.

7. The "Framework for future efforts" annexed to resolution 1989/51 of the Commission on Human Rights provides applicable guidelines for the substantial content of the United Nations advice concerning electoral matters.

## PANAMA

[Original: Spanish]

[13 June 1991]

Following consultations with the institutions concerned, it was decided to welcome with satisfaction the content of the resolutions in question, based on the national Government's attachment to respect for the principle of equal rights and self-determination of peoples and respect for the human rights and fundamental freedoms of all persons.

## PAPUA NEW GUINEA

[Original: English]

[3 May 1991]

The above-stated information has been duly noted and conveyed to the relevant authorities in Papua New Guinea for their appropriate consideration.

## PERU

[Original: Spanish]

[12 August 1991]

1. It should be borne in mind that any action taken by the United Nations with regard to the holding of periodic and genuine elections must recognize and accept the existence of diverse cultures and political systems and diverse cultural characteristics and heritages, and must therefore be without prejudice to each people's sovereign right to choose its own system of government. On the other hand, the promotion of democracy also depends on an external environment that is conducive to economic development and social justice.

2. Similarly, the United Nations involvement in the holding of periodic and genuine elections should be governed by the same criteria as were applied to its participation in the supervision and observation of electoral processes in Nicaragua, Haiti and Namibia. Thus, it is useful to recall that such participation occurred in response to a request from the Government concerned and/or in the context of peace processes aimed at safeguarding international peace and security.

3. That being so, the Government of Peru reaffirms its conviction that the countries of a given region, which share a similar history, culture and level of development, are better placed to devise approaches that are in keeping with the particular characteristics of that region.

4. As regards the inter-American region, therefore, Peru considers the Organization of American States (OAS) to be the principal forum for an exhaustive study of the scope of the promotion of periodic and genuine elections, not only because OAS, unlike the United Nations, enshrines the principle of representative democracy in its Charter, but also because, bringing together as it does States that share similar political, economic and social conditions, it is able to carry out realistic and flexible analyses and action, the most recent instance being the process of peace and democratization in Central America.

5. It should also be recalled that the Organization of American States has already taken significant action in this regard, including the conceptual framework of the Asunción Declaration of 8 June 1990, and particularly paragraphs 2, 3 and 5 thereof, and the adoption of measures such as the establishment of the Centre for the Promotion of Democracy and the draft programme of work for that Centre.

6. The experience gained by the United Nations and OAS in the recent electoral processes in Nicaragua and Haiti could form the basis of a new era of cooperation between the two Organizations in matters relating to periodic and genuine elections and so lead to similar cooperation between the United Nations and other regional bodies.

7. Consequently, the Government of Peru deems such regional approaches to be the most appropriate way to help achieve the goals of the Organization with respect to electoral processes.

8. These comments by the Government of Peru reflect its democratic convictions and are in accord with the efforts it is making, in the face of adverse conditions, to pursue the establishment of its own mechanisms for consolidating its representative democracy.

## PHILIPPINES

[Original: English]

[12 July 1991]

Suitable approaches that will permit the Organization to respond to requests of Member States for electoral assistance will depend mainly upon the nature of the request (for example, will the United Nations itself conduct the election or will it merely play a supervisory or even advisory role), taking into account previous United Nations experience in the field (Namibia, Nicaragua, Haiti).

# POLAND

[Original: English]

[23 July 1991]

1. Poland attaches a great importance to enhancing the effectiveness of the principle of periodic and genuine elections in accordance with General Assembly resolution 45/150 of 18 December 1990, co-sponsored by Poland, and regards it as crucial for democracy. Our involvement in the establishment of the Office for Free Elections in Warsaw as provided for in the Charter of Paris for a New Europe of the Conference on Security and Cooperation in Europe, is an expression of our support for the principles set out in this resolution. The Office inaugurated its activities on 22 April. Its functions are, inter alia, to facilitate contacts and the exchange of information on elections within participating States, to organize seminars or other meetings related to election procedures and to coordinate the activities of international observers of elections.

2. Poland considers free elections, which now become feasible, as a main democratic institution. We favour the promotion and dissemination of experiences gained in this field which would enhance the democratic process in the world and help to avoid social and political disturbances which often seriously threaten the stability and peace in a particular region or even on a continent. Having this in mind, we propose to enlarge in future the scope of problems to be dealt with by the Office for Free Elections also on supporting other democratic institutions.

3. Poland is of the opinion that it is within the competence of the United Nations Organization to provide its assistance for the organization of free elections to those Member States which have so requested. To this end we propose:

(a) The adoption by the United Nations General Assembly of a resolution authorizing the Secretary-General to provide technical assistance to those Member States which have requested it. Such an assistance could include:

(i) The use of the infrastructure of the Geneva Centre for Human Rights for the organization of seminars, conferences or other meetings related to election procedures and legislation;

(ii) The appointment of consultative missions on election processes at the expense of the requesting States;

(b) The nomination of a high-level coordinator within the structures of the United Nations Secretariat. The costs of such an office would be covered by voluntary contributions of the Member States, by trust funds and out of the non-governmental organizations funds;

(c) The establishment of close cooperation between the United Nations Secretariat (the Coordinator for Free Elections) and the existing Office for Free Elections in Warsaw, as well as with other similar offices that might be established in the future in different regions, in order to conduct a permanent exchange of information on elections between the Member States;

(d) The submission by the United Nations Secretary-General of biannual reports on the implementation of the General Assembly resolution concerning the technical assistance extended to Member States regarding the organization of free elections.

## SWEDEN

[Original: English]

[8 July 1991]

1. In recent years, a growing number of Member States of the United Nations have sought assistance in the organization of elections. This represents a promising innovation in the activities of the United Nations, but also entails complex challenges. It is important both to establish broadly agreed guidelines by the international community for this new field of activity, to define a proper role for the Organization, and to ensure that it has the capacity to fulfil such a role.

2. The Swedish Government welcomes the suggestions on criteria for United Nations electoral assistance contained in the 1990 report of the Secretary-General on the work of the Organization. United Nations electoral assistance should in principle cover the entire electoral process in order to secure conditions of fairness and impartiality. The Government concerned should request assistance which must be approved by the competent organ of the United Nations. There must be public support in the State concerned for the United Nations assuming such a role.

3. The Swedish Government is however also aware of the fact that situations might arise where electoral assistance will be requested in spite of the fact that all the above-mentioned criteria cannot be met. The request for electoral assistance could for example be limited to certain aspects of electoral procedure. The United Nations could be requested to contribute to the elaboration of laws regulating the elections or provide assistance in upholding respect for human rights during the election process. Electoral assistance might be also given in these circumstances, although each request must be carefully examined.

4. In this connection, the Swedish Government wishes to draw attention to the Stockholm Initiative on Global Security and Governance which, in its recent report proposes the strengthening of independent international institutions that offer to monitor countries' observance of democratic rules and principles, in particular at the time of elections, respecting the constitutional order of each country.

5. The organizational aspects of developing a United Nations capacity to respond adequately to Member States' requests for electoral assistance obviously require careful consideration. Several departments in the Secretariat could play useful roles in this regard, for example the Office of the Under-Secretary-General for Special Political Affairs and the Centre for Human Rights.

6. The latter would possibly be most suitable if the request for electoral assistance is limited to various forms of technical assistance. Such assistance could be regarded as a natural component of the Programme of Advisory Services and Technical Assistance offered by the Centre.

## THAILAND

[Original: English]

[16 July 1991]

The government agencies concerned are still in the process of considering the provisions of the said resolutions and the observations of the Royal Thai Government will be communicated to the Secretary-General in due course.

## TURKEY

[Original: French]

[19 June 1991]

1. As a new international climate is coming into existence and tensions are easing, Turkey hopes to see the United Nations play a more active role in the field of human rights. Promoting respect for human rights is not merely a matter of genuine concern for the international community, but also one of the principal aims of the Organization.

2. Experience, sometimes painful, has shown that the peace, security and stability of the international community, like those of national communities, are increasingly based on respect for human rights, and human rights issues are playing a growing role in political and social relations among nations.

3. Turkey is happy to note that respect for human rights and fundamental freedoms has now become a decisive attribute and an essential parameter of modern States. Countries which fail to respect human rights can no longer evade their responsibility and escape the condemnation of the international community.

4. Pluralist democracy, the rule of law and free, periodic and genuine elections are essential to respect for human rights. At the same time, they provide the best guarantees of such respect and are inseparably linked. This interdependence is becoming increasingly widely recognized.

5. Turkey had its first electoral experience in 1876 and free, periodic and genuine elections, with all the legal guarantees, date from 1950. Ever since then, the political will of the Turkish nation has been expressed through elections.

6. On the basis of its own experience and in view of the requests for electoral assistance addressed by Member States to the United Nations, Turkey was a sponsor of General Assembly resolution 45/150 entitled "Enhancing the effectiveness of the principle of periodic and genuine elections", adopted on 18 December 1990.

7. The very first internal election monitoring exercise authorized by the United Nations and conducted by it in the territory of a Member State, took place in Nicaragua, thanks to the United Nations Observer Mission to verify the electoral process in Nicaragua (ONUVEN).

8. The success of this operation for overseeing the transfer of power encouraged certain other Member States in making the transition to democracy, and other requests for electoral assistance from the Organization followed. Another remarkable success has just been scored in Haiti, and the Organization has also participated, in one way or another, in the conduct of other elections.

9. With regard to the resources needed by the Organization for it to respond to requests for electoral assistance from Member States, Turkey would like to submit the following observations:

(a) As the resolution correctly notes, any electoral assistance that the Organization may provide to Member States should be given at their request and in the context of full respect for their sovereignty;

(b) The nature of the electoral assistance provided should respond to the needs formulated by Member States;

(c) In the light of the precise needs specified by Member States, this assistance could take a whole range of forms, such as:

(i) The organization of workshops, seminars and lectures on the conduct of periodic and genuine elections, for the authorities of the State in question;

(ii) Technical assistance and advisory services relating to the different stages of the electoral process;

(iii) Legal assistance in establishing the electoral system and drafting electoral laws;

(iv) Observation of the conduct of the elections;

(v) Verification of elections;

(vi) Observation of the entire electoral process;

(vii) Organization of the entire electoral process;

(viii) Cooperation and coordination with regional organizations and other observer missions;

(ix) Preparation of a list of international experts whose services could be of benefit to Member States;

(x) Preparation of a United Nations manual on the electoral process;

(d) At the present stage, it would not be appropriate to suggest a specific structure within the United Nations system for dealing with the organization of electoral assistance. A structure of this kind could be considered only in the light of experience. As for the financial aspects, in view of the constant shortage of resources, it would be preferable to consider setting up a voluntary fund for this purpose.

## UGANDA

[Original: English]

[3 September 1991]

1. In our view, the establishment of a Commission is unnecessary. If there is dissatisfaction with the manner in which the United Nations functions in the field, the existing mechanisms should be strengthened.

2. We trust that the existing United Nations organ for monitoring the elections of Member States, at their request, has been satisfactory. It worked in Namibia and Haiti and can still function effectively whenever it is called upon by Member States. Unless we are given statistics to prove the contrary, we doubt that the number of requests for electoral assistance warrants the establishment of a new body, that is an electoral commission, especially in the light of the fact that monitoring elections is not a mandatory role of the United Nations but rather an optional function carried out at the request of Member States.

3. The creation of an electoral commission would result in duplication of the work of the existing organ and would overstretch the already meagre resources of the United Nations. It would therefore be more cost-effective to strengthen the existing organ.

4. The establishment of an electoral commission funded from extrabudgetary resources would not be in the best of interest of countries with an electoral system different from that of the West. As the saying goes, "he who pays the piper calls the tune", and such a commission would run the risk of undergoing undue influence and interference from its major donors. In the long run, the

Commission could be used by major donors to dictate terms and impose their will upon weaker States.

5. Notwithstanding all the above, if a Commission is established, its mandate must be clearly spelt out. There should be sufficient safeguards to ensure that it is independent and impartial and that it does not only take one type of electoral system into account.

6. It must operate only at the request of Member States and its role should not be mandatory. It should be composed of eminent persons elected or nominated on the basis of equitable geographical distribution and not simply of "eminent persons", to ensure that it is not dominated by regions that have more "eminent" persons than others.

## URUGUAY

[Original: Spanish]

[24 May 1991]

1. The Government of the Eastern Republic of Uruguay concurs fully that the renewal of public authorities through the holding of periodic and genuine elections is a fundamental pillar of democratic systems. Suffrage is, above all, the exercise of a political human right which, as declared by international human rights instruments, ensures equal participation in public affairs by electors and candidates alike.

2. In this context, and subject to strict respect for the principle of non-interference in the internal affairs of other States, Uruguay considers that the United Nations, in providing electoral assistance to States that request it, is carrying out a function that promises to be one of the most viable mechanisms for achieving the objectives set forth in the United Nations Charter.

3. In keeping with the above, it should be said that the Eastern Republic of Uruguay has cooperated in electoral observation missions carried out under the supervision of the United Nations and the Organization of American States.

4. In reply to paragraph 10 of General Assembly resolutions 45/150 and 45/151, Uruguay is strongly in favour of the creation of a group of experts to analyse the question of electoral promotion under international supervision, while working to strengthen existing national electoral infrastructures through technical training.

## UNITED STATES OF AMERICA

[Original: English]

[1 July 1991]

1. The United States of America fully supports General Assembly resolution 45/150 and encourages the development of United Nations electoral assistance at the request of Member States. In providing such services, the United Nations fulfils its mandate as proclaimed in the Charter.

### The role of the United Nations in electoral assistance

2. The United Nations has recently provided with greater frequency - and with great success - a rather wide variety of electoral assistance to Governments that requested it. In each case, the United Nations effort has been put together rapidly, on an improvised basis. It makes sense to examine carefully what kind of assistance the United Nations should provide and under what conditions. It also makes sense to consider what United Nations mechanisms could be used to provide assistance as effectively, quickly and inexpensively as possible.

3. The Charter provides firm legal bases for United Nations electoral assistance at the request of Member States. Article 1 outlines the purposes of the Organization, including the maintenance of international peace and security, friendly relations among nations based on respect for equal rights and self-determination of peoples, other appropriate measures to strengthen universal peace and international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion. United Nations electoral assistance at the request of a Member State can further these purposes.

4. Article 13 of the Charter sets out two relevant aspects of the General Assembly's mandate: (a) "promoting international cooperation in the political field", and (b) "assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion".

5. Further, Article 55 of the Charter provides that the United Nations and its Member States shall promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion. United Nations electoral assistance, by promoting respect for the right of a citizen to participate in the Government of his or her country, fulfils the intent of the Charter in this regard, as well as the intent of Article 21 of the Universal Declaration of Human Rights and Article 25 of the International Covenant on Civil and Political Rights.

6. Throughout the last several decades, the United Nations has monitored and carried out plebiscites and elections in trust and Non-Self-Governing Territories. In recent years, the United Nations has monitored elections as

part of larger efforts associated with the peaceful resolution of disputes. In Haiti, the United Nations responded to a request from a Member State to provide electoral assistance in a situation which posed a potential threat to international peace and security.

7. Article 39 of the Charter provides that the Security Council shall decide what measures shall be taken to maintain international peace and security. It is therefore appropriate that the Council consider authorizing United Nations electoral assistance in situations where a properly conducted election is likely to defuse international tensions, as it did in Nicaragua.

8. Chapters XI, XII and XIII of the Charter authorize the United Nations to oversee the administration by Member States of trust and Non-Self-Governing Territories. Many of the territories that had existed in 1945 have achieved self-determination, primarily through plebiscites and other elections conducted or monitored by visiting missions of the United Nations.

9. The United Nations has undertaken all of these activities at the request of countries and territories concerned. None of these activities can be viewed as conflicting with the provisions of Article 2, paragraph 7, of the Charter, which prevents the Organization from intervening in matters which are essentially within the domestic jurisdiction of any State.

10. The international community's commonly accepted views on the nature of the electoral process are contained in the "Framework for future efforts" annexed to resolution 1989/51 of the United Nations Commission on Human Rights, which was adopted without a vote on 7 March 1989. In effect, the Framework provides general criteria for elections as a basis for the authority of government.

## Criteria for responding to requests for United Nations electoral assistance

11. As the United Nations is called upon to support electoral processes, it must have criteria to determine when it should and should not provide assistance. The United States believes that the following criteria are appropriate:

(a) Request of the Member State concerned. United Nations electoral assistance, in accordance with General Assembly resolution 45/150 and Article 2 of the Charter, must be at the request of the recipient Member State, in full respect for national sovereignty and the principle of non-interference in internal affairs, and must be supported by a broad spectrum of opinion within the requesting country;

(b) Full, unhindered electoral coverage. In cases in which a Member State asks the United Nations to assess the free and fair nature of an election, the Organization's observers must be able to cover the electoral process without hindrance, throughout the country and from beginning to end;

(c) Coordination with regional organizations. In keeping with the role of the United Nations to cooperate with regional organizations, the United Nations should coordinate its activities, where appropriate, with regional organizations, seeking to avoid duplication. The United Nations should focus primarily on providing assistance when regional organizations are unable to meet the need;

(d) Authorization by the appropriate United Nations body. The General Assembly should adopt a resolution granting the Secretary-General authority to respond to requests for technical assistance and observation of elections in exercise of its mandates to promote international cooperation in the political field and assist in the realisation of human rights and fundamental freedoms. The Secretary-General should report annually to the General Assembly on the implementation of the resolution. In cases of threats to international peace and security, the Security Council would approve each mission.

## The content of United Nations electoral assistance

12. The content of a United Nations electoral mission must be practical, thorough, respectful of the unique electoral laws and procedures of each host country, sensitive to current political conditions, and non-partisan. In recognition of the fact that United Nations electoral missions are likely to take place where controversy surrounds the electoral process, each mission must be specifically adapted to the circumstances, so as to meet the needs of the Member State. It must be understood, nevertheless, that the presence of observers will not in itself guarantee a genuine and honest election.

13. United Nations electoral assistance could include any or all of the following types of assistance, according to the wishes of the host country that put forward the request:

(a) Technical assistance. This would be analysis and advice provided to government officials on how to improve specific aspects of their country's electoral process. Such services could range from consultations on technical matters to broad assistance with administrative and managerial aspects;

(b) Electoral assistance involving observation and assessment of the free and fair nature of the electoral process;

(c) Electoral assistance as an aspect of peacemaking or peace-keeping activities;

(i) Electoral assistance as an aspect of conflict resolution. The United Nations should be in a position to provide the full range of electoral assistance needed as a contribution to resolving a conflict, especially when this assistance is included in larger peacemaking or peace-keeping operations of the United Nations;

(ii) Electoral assistance with a security component. At present, regional organizations generally have a limited capability to provide security advisers and observers;

(d) Organizing and conducting an election as an aspect of peacemaking or peace-keeping activities. In special situations, at the request of the parties involved, the United Nations could assume the role of organizing and conducting an election as an aspect of peacemaking or peace-keeping activities. This expanded role would have to be examined and approved by the Security Council on a case-by-case basis.

## Outline of possible areas for electoral assistance of the United Nations

14. The United States suggests that the United Nations be able to provide any or all of the following types of assistance, as appropriate to each case, as requested by a Member State, and as approved in a suitable manner:

I. MONITORING THE ELECTORAL ENVIRONMENT

A. Meet with a cross-section of participants in the electoral process.

B. Observe political rallies nationwide to help reassure candidates or voters that there will be no harassment or intimidation.

C. Monitor media, including facilities controlled by the Government, to ensure fair access by all parties and freedom of expression.

D. Coordinate with regional and non-governmental organizations involved in observing the electoral process.

II. ADVICE AND ASSISTANCE ON ELECTORAL PROCESSES

A. Advise the host country on the development of non-partisan electoral laws, in order to provide a level playing field.

B. Advise the host country on the development and implementation of a voter registration system.

C. Advise electoral authorities and political parties on voter education.

1. The importance of voting.

2. The meaning and the integrity of the electoral process.

3. Voting procedures - when and how to cast ballots.

D. Advise and assist electoral authorities on voting facilities and equipment.

1. Polling places.

2. Ballots and ballot boxes.

3. Facilities for counting.

4. Security arrangements at such facilities.

E. Advise the host Government and electoral authorities on questions related to the security of the electoral process.

1. Monitor security arrangements.

2. Provide a security component as necessary.

F. Advise and assist electoral authorities on logistical matters.

III. ELECTION DAY ACTIVITIES

A. Monitor the conduct of the election at as many voting sites as possible.

B. Ensure that monitoring does not interfere with voting.

C. Conduct a parallel vote count and verify the announcement of official results.

IV. ASSESSING THE ELECTORAL PROCESS

A. Sources.

1. International declarations.

2. In-country sources.

a. Constitution.

b. Electoral laws and procedures.

B. Essential elements of a free and fair election.

1. Integrity of the balloting, including provisions for a secret vote.

2. Free participation in the political process.

C. Other conditions necessary for a free and fair election, as warranted by the situation in the host country.

V. POST-ELECTION TRANSFER OF POWER

A. Maintain a United Nations presence until the installation of elected official(s).

B. Monitor events during the transitional period.

## A strengthened electoral assistance capability of the United Nations

15. United Nations electoral assistance programmes cannot be created on an ad hoc basis if the Organization's material and human resources are to be utilized to maximum advantage. The following paragraphs describe possible approaches that would contribute to a well-coordinated United Nations capability with enhanced institutional memory:

(a) An Electoral Assistance Coordinator on behalf of the Secretary-General. The Coordinator should be a well-known expert in the field of international promotion of democracy, a person whose prestige would enhance United Nations activities. The Coordinator would evaluate all requests for United Nations electoral assistance, make recommendations to the Secretary-General, and, if requested by the Secretary-General, serve as his designated special representative for an individual mission of electoral assistance;

(b) Panel of experts. The panel could function as an advisory body and as a pool of distinguished experts who would be available to serve as the Secretary-General's special representative for an individual mission of electoral assistance, instead of the Coordinator. Members of the panel of experts should have direct experience in election observation and could be drawn, for example, from national or provincial electoral commissions;

(c) Coordination within the Secretariat. The Electoral Assistance Coordinator, acting on behalf of the Secretary-General, should be responsible for deploying the Secretariat's resources, both human and material, in order to provide electoral assistance at the request of Member States. The Coordinator would perform this function by means of a staff which need not be large, since it would draw upon capabilities throughout the United Nations system. The functions of this small Secretariat unit would include conducting survey missions to determine United Nations responses to requests for assistance, providing core administrative support, and creating an institutional memory as the Organization's experience with electoral assistance grows and diversifies. The unit could be funded from the regular budget of the United Nations, by means of existing resources;

(d) Technical assistance. We note that the Secretariat's Department of Technical Cooperation for Development has already provided assistance of a purely technical nature to the electoral commissions of Nicaragua and Haiti when elections were held recently in those countries. This Department of the

Secretariat envisions a long-term project that would involve gathering information about the electoral needs of several countries, to be used by the United Nations in future assistance efforts. We welcome this initiative and believe that the experience and capability of the Department of Technical Cooperation for Development should be taken into account in planning a coordinated programme of United Nations electoral assistance;

(e) Funding. In all cases, electoral assistance should be funded to the extent possible by voluntary contributions, particularly contributions by the country requesting assistance. Consideration could be given to funding from the peace-keeping budget for missions which constitute an integral part of a peace-keeping operation and which are approved by the Security Council. If a request for electoral assistance pursuant to resolutions of the General Assembly involves significant expenditures for which voluntary contributions are not available, the Assembly would need to consider whether regular budget funding should be authorized for that specific mission.

## UNION OF SOVIET SOCIALIST REPUBLICS

[Original: Russian]

[3 July 1991]

1. The principle of periodic and genuine elections laid down in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights is becoming increasingly more important and urgent. The international community's heightened interest in that principle is a reflection of the objective processes taking place in many parts of the world. It is therefore quite natural that States Members of the United Nations are experiencing a growing need to find ways to cooperate more fully and exchange information in this area.

2. The basic international human rights instruments have confirmed the principle of periodic and genuine elections as a necessary element for ensuring the right of every citizen to take part in the conduct of public affairs, directly or through freely chosen representatives, and as a condition for the expression of the will of the people, which should be the basis of the authority of Government. As a cornerstone in the democratic structure of society, that principle is closely related to other fundamental rights and freedoms guaranteed in the Universal Declaration of Human Rights and the international covenants.

3. The strengthening of the role of the United Nations in coordinating cooperation among States with a view to enhancing the effectiveness of the principle of periodic and genuine elections should be based on the provisions of the Universal Declaration of Human Rights and the covenants and on respect for the interests of all States. Given that none of the world's many electoral systems can be considered universal and applicable to all countries, the initial stage could be devoted to the study of conceptual problems and of

the principles that are indispensable for the holding of periodic and genuine elections. Such work could result in a set of standard recommendations for assisting national institutions involved in the organization of elections in their respective countries.

4. Electoral assistance may also be provided to States through the establishment of advisory services, the holding of national and regional seminars, the expert examination of national legislation at the request of States, and the conduct of training courses by the Centre for Human Rights for employees of services involved in the organization of elections.

5. Since States often request that international observers be sent to monitor their elections, consideration could be given to the establishment of a group of independent authoritative experts who would respond to such requests. Undoubtedly, in solving this problem it will be necessary to specify, in particular, such aspects as the status and mandate of the international experts, the way in which they submit the results of their work, and sources of financing.

6. The Soviet Union believes that the development of international cooperation to enhance the effectiveness of the principle of periodic and genuine elections should be based on the voluntary participation of interested States Members of the United Nations in the context of respect for the principle of non-interference.

7. The USSR proposes that this issue should be considered in detail at the forty-sixth session.

## VENEZUELA

[Original: Spanish]

[21 June 1991]

1. It is clear that the international community has peacefully accepted the principle that it is "the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitutional and national legislation".

2. The above principle is in turn rooted in the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social system.

3. There is also no question that all States enjoy sovereign equality and that each State has the right freely to choose its political system and to develop its economic and social institutions, since there is no single political system or electoral method that is equally suited to all nations and their peoples.

4. Such principles, whose validity cannot be questioned, are in no way incompatible with or contradictory to the principles and obligations enshrined in, inter alia, the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, and which relate to:

(a) The obligation to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples;

(b) The right of everyone to take part in the Government of his or her country, directly or through freely chosen representatives;

(c) The right of everyone to equal access to public service in his or her country;

(d) The fact that the will of the people must be the basis of the authority of Government, and that this will must be expressed in periodic and genuine elections which must be by universal suffrage;

(e) The fact that "periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed";

(f) The fact that the right of everyone to take part in the Government of his or her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms, embracing political, economic, social and cultural rights;

(g) The fact that "determining the will of the people requires an electoral process that provides an equal opportunity for all citizens to become candidates and put forward their political views, individually and in cooperation with others, as provided in national constitutions and laws".

5. For these reasons and while recognizing that there is no single political system or electoral process that is equally suited to all nations, it could be said that the exercise of universal suffrage, through procedures that guarantee the free and genuine expression of the will of citizens, is the best way of safeguarding the principle of self-determination of peoples.

6. This free and effective exercise of suffrage is today increasingly threatened by the action of internal elements rather than by any foreign intervention. This is all too often true in the developing countries.

7. Democracy can no doubt be considered the most perfect or the least imperfect of systems since, in addition to ensuring respect for institutions, the rule of law, respect for human rights and the physical and moral integrity of citizens, it also helps to promote harmonious coexistence and mutual respect between nations.

8. In this connection, it would seem to be in the interest of the international community to continue to work towards a mechanism which, while respecting the principle of non-intervention, would ensure the voluntary acceptance of a set of standards that would make it possible for some international organizations, in this case the United Nations, to participate in providing advisory services and in supervising elections.

9. Such participation would naturally only follow upon and be subject to the adoption of the necessary agreements, which would involve acceptance by the signatory States of the presence of a United Nations mission, where the appropriate requirements had been met.

10. Such a development would, of course, be breaking with an old United Nations tradition, that of non-interference in the organization or preparation of electoral processes in sovereign States. One specific example of the evolution of the thinking which governs cooperation in this area was the adoption of the Charter of Paris, which envisages the establishment of a permanent mechanism for providing advisory services and technical assistance in electoral matters, reflecting a desire to support efforts aimed at ensuring the free expression of the political will of peoples.

11. Moreover, precedents do already exist, in that a United Nations mission was present at a recent electoral process - the Nicaraguan elections held in February 1990. It is no exaggeration to say that the presence of observers from the United Nations, the Organization of American States (OAS) and the Centre for Electoral Training and Promotion (CAPEL), important international figures and numerous observers from various countries - both governmental observers and observers from electoral bodies - played a very major role in ensuring that the population went to the ballot box without fear and with confidence that their will, as expressed through suffrage, would be respected and not distorted.

12. This was possible mainly because the initiative of inviting this whole assortment of observers came from the Nicaraguan Government itself, at whose request the United Nations sent its mission, even though this was not a case of a country acceding to independence as had been the norm up to that time.

13. Given the difficulty of determining when, in what manner, how and why the activities of an observer mission from an international organization should be accepted, it would seem useful for now to devise a formula whereby opposition sectors in any country could give their comments and views on forthcoming or ongoing electoral processes.

14. The countries of Central America and the Caribbean and those of South America have already taken major steps in this direction. The existence of an organization such as CAPEL is clear evidence of this and its representatives are frequently invited to observe the conduct of the elections that are regularly held in those countries that have signed the Tikal Protocol (Central America and the Caribbean) or the Quito Protocol (South America). Moreover, CAPEL not only acts as an observer but also provides advisory services, all of this of course at the request of the party concerned.

15. Whatever mechanism is adopted in future to advise on and observe electoral processes in countries that voluntarily request it, it is important to note that a mission's function cannot be limited to observing the balloting on election day. In order for such a mission to perform its task fully, its presence must begin several months earlier, in order to determine whether the stages prior to the balloting were conducted satisfactorily and whether the election campaign was waged in an appropriate climate. It is therefore crucial that the countries concerned fulfil the following requirements:

(a) A central electoral body exists which is pluralist and balanced in its composition and in which no political organization or group of organizations has a majority;

(b) An electoral roll or register is prepared which guarantees that all citizens may be entered on it while ensuring that the same person may not register more than once, in order to permit everyone to cast his or her vote and to prevent anyone from voting more than once;

(c) Polling stations or voting tables are similarly balanced in composition and have poll watchers or electoral observers from all the contending parties in attendance;

(d) The secrecy of the ballot is genuinely guaranteed and the ballot cast faithfully reflects the will of the voter;

(e) During the election campaign, the free expression of ideas was genuinely respected and all participating political groups had unrestricted access to the media;

(f) The forces of law and order act according to the law and not according to which party wins the election.

The members of the mission dispatched for this purpose will be able to testify to all these aspects and to some other equally important ones, and where these minimum requirements have been met in full, they will have to ratify the results, whatever these may be.

16. Implementation of the above would make an effective and decisive contribution to the consolidation of democracy, with positive consequences as mentioned at the outset both internally and in relations between nations.

17. In the specific case of Venezuela, the Supreme Electoral Council has on numerous occasions lent its support to countries that have requested it. Such support has taken various forms, of which the most usual and significant have been:

(a) Material support, by providing the logistical supplies indispensable to any election, such as ballot boxes, indelible ink, solvent, curtains, seals, ballot papers, etc.;

(b) Technical support, through the dispatch of trained personnel to help other electoral bodies organize and make all the requisite arrangements for elections, such as compilation of the electoral roll or register and establishment of electoral boards and polling stations;

(c) The dispatch of observers either on behalf of the Council itself, where it has been invited, or seconded to international organizations requesting them by way of cooperation (United Nations, OAS, CAPEL);

(d) Lastly, in addition to the support mentioned above in certain special cases, members and officials of the Supreme Electoral Council have, at the request of the party concerned and with the approval of the National Executive, acted as counsellors, arbitrators and genuine mediators in the implementation of an electoral process held beyond our borders, all of which has so far, in our view, been done in a discreet and effective manner. This was the experience of a Council mission which was sent to Nicaragua and whose reports were in due course presented to and analysed and discussed by both the United Nations and OAS, and were even praised by members of the United States House of Representatives, a fact which was recorded in the Congressional Record.

18. The experience accumulated in this area has been placed at the disposal of any nation wishing to make use of it, either through a direct request to us or through international organizations which are asked to provide cooperation and which consider Venezuela's contribution, whether material, technical or political, to be useful.

## ZAMBIA

[Original: English]

[6 June 1991]

1. Zambia, since the attainment of independence, both during the multi-party era, then the one-party system and now back to the multi-party system, has always practised and observed the essential principles of open, free and fair elections. Thus, presidential and parliamentary elections have been held periodically for those in power to obtain or renew their mandate. The elections have been held on the basis of universal suffrage for those aged 18 years and above who are required to register as voters and who participate in the secret ballot. Apart from the secrecy of the vote, the electoral processes have been open and public and amenable to observation and verification as to their being free and fair.

2. Provided the approaches respect sovereignty and do not open the way for the United Nations or other Member States to seek to meddle where they have not been invited or where their offers of assistance have been rejected, Zambia cannot have strong or any reservations over principles of periodic

genuine elections or the possibility of bilateral or United Nations-backed assistance by mutual arrangement where this is at the specific request of the recipient Member State.

3. Zambia believes in the legality of Government which must be lawfully in power after being popularly elected under constitutional and legal arrangements that for the time being are generally acceptable to the citizens. The electoral process must similarly be acceptable, open and genuine.

4. There should, in principle and generally, be no objection from Zambia to the United Nations or other interested observers coming to see our electoral process, at their own cost, since it is recognized that there will be, from time to time, an outcry for those not in power for neutral observers. Similarly, there may be need to modernize the electoral processes in future and any help from the United Nations or other Member States will be welcome.

## II. REPLIES RECEIVED FROM SPECIALIZED AGENCIES, INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS

### UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

[Original: English]

[2 May 1991]

1. The United Nations Educational, Scientific and Cultural Organization (UNESCO) is interested in promoting research and reflection on human rights in democratization processes in different regions of the world. For this purpose, a series of conferences can be mentioned:

(a) The first was held in Montevideo from 27 to 30 November 1990. The Declaration "Democratic Culture and Governance", was adopted at this conference;*

(b) The second "Forum international: culture et démocratie" will be organized from 4 to 6 September 1991 in Prague;

(c) An international symposium on women and democracy in the countries of Central and Eastern Europe will be held at Prague in November 1991.

2. An international conference on education for human rights and democracy will be convened jointly with the United Nations Centre for Human Rights and in cooperation with intergovernmental and non-governmental organizations in 1993.

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* Available for consultation in the Secretariat.

## ORGANIZATION OF AMERICAN STATES

[Original: Spanish]

[21 October 1991]

1. The valuable experience gained by the Organization of American States (OAS) from its electoral observation missions of the past two years may be useful for the purposes of the resolution.

2. OAS electoral observation missions have been carried out in response to express requests in this connection from member States. The Organization sent missions to observe the electoral processes in Nicaragua (1989-1990), Haiti (1990), El Salvador (1991), Paraguay (1991) and Suriname (1992). Missions were also sent to observe the elections in Costa Rica (1990), Honduras (1990), Dominican Republic (1990), Guatemala (1990) and Panama (1990).

3. The observer missions consisted exclusively of civilians; there was no military component. The number of observers was determined according to conditions in each country and the needs of the corresponding electoral observation process. In Nicaragua, 435 observers took part in the observation of the electoral process, while in Haiti, observers numbered 195, in El Salvador, 150, in Paraguay, 47, and in Suriname, 42.

4. The observers travelled in groups, covering all areas of the country in question. Their mission was not limited to simply observing the electoral process; they also contributed to its proper functioning.

5. The OAS electoral observation missions used computerized systems which made it possible to monitor voting trends and to make an early, precise forecast of the election results.

6. The costs of the electoral observation missions were financed from the Organization's regular budget and with special contributions from extrabudgetary sources.

7. The Secretary-General followed each mission closely and kept the Organization's Permanent Council informed of its progress.

## CARIBBEAN COMMUNITY SECRETARIAT

[Original: English]

[4 September 1991]

1. Although the issue of elections in the Caribbean Community (CARICOM) States as well as in other countries has arisen within the regional public of CARICOM as a matter of public debate in the past, we have not yet within the CARICOM Community reached the point where the issue has become the subject of an official policy in the Community as a whole.

2. From time to time, specific decisions have been taken on a Caribbean Community presence in specific observer arrangements. This has been the case, for example, with elections held in Haiti and Suriname. In both these cases, however, CARICOM observers were incorporated into a wider mission organized by the Organization of American States or the United Nations. A similar type of arrangement is envisaged with respect to the forthcoming elections in Guyana where a CARICOM presence will be incorporated into a wider Commonwealth observer Mission.

3. While individual CARICOM Member States as Members of the United Nations might wish to formulate their own individual suggestions on this matter, the crystallization of a Community position will need to await the inclusion of the issue on the Community's agenda for deliberation by the relevant organ or institution of the Community.

## COMMONWEALTH SECRETARIAT

[Original: English]

[30 May 1991]

1. The Commonwealth, is itself deeply interested in this subject and Heads of Government themselves at their last meeting at Kuala Lumpur in October 1989 made a statement indicating their strong commitment to furthering the democratic process. In this regard, I refer you to paragraph 7 of the communiqué.

2. Not surprisingly, the various United Nations mandates on this subject are broader in scope than those of the Commonwealth secretariat.

3. Out of our own far more limited experience, we should like to highlight the following areas as being worthy of particular attention in respect of paragraphs 9 and 10 of General Assembly resolution 45/150.

4. Support of measures to:

(a) Facilitate constitutional reform;

(b) Facilitate greater participation in the democratic process by fostering relevant institutional development, for example, strengthening local government systems and providing for more efficient electoral machinery;

(c) Strengthen the major underpinnings of the democratic process - such as the judiciary and key law officers; the ombudsman system; the media and the Electoral Commission;

(d) Upgrade electoral laws and regulations.

5. Action at the international level needs to be supported by discussions and an education process within countries about the democratic process - the United Nations could provide technical advice and visiting missions in this area rather than leaving it wholly to bilateral efforts.

6. At the international level, consideration might be given to the possibility of international standard-setting of electoral norms.

7. We look forward to the report and to the discussion of this issue at the forty-sixth session of the General Assembly and would like to reiterate our interest in closer cooperation with the United Nations, at various levels, in this area of activity.

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# HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

## Enhancing the effectiveness of the principle of periodic and genuine elections

## Report of the Secretary-General

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# CANADA

[Original: English]

[12 November 1991]

1. The Government of Canada, having sponsored General Assembly resolution 45/150 of 18 December 1990, fully supports the development of a United Nations electoral assistance programme and, upon the request of Member States, the delivery of appropriate assistance. In developing such a programme and providing such services, the United Nations and participating Member States would fulfil obligations proclaimed in the Charter of the United Nations.

2. Canada strongly supports these efforts as part of its foreign policy objectives to promote international peace and security, greater respect and protection of human rights, a more equitable and just distribution of economic wealth, economic freedom and social justice. However, as recent events have demonstrated, the democratic development process will require lengthy and sustained support.

Democratic development, processes, systems and values

3. Remarkable, and deeply encouraging among forces currently re-shaping the world order, is the almost universal demand for greater democratization. Peoples around the world are demanding more responsible and representative Governments and expecting from their representatives greater transparency in managing their resources and in governing their countries. Democratic Governments, based on the rule of law, independence of the judiciary and regular popular consultations, are the best way to ensure respect of human rights and freedoms.

4. Democratic development, processes or systems are complex and multifaceted concepts that defy precise and universally accepted definition. They must also be viewed through the prism of the particular social and cultural contexts in which they take shape. In this context, the development of viable democratic processes and systems must be supported by strong democratic values, institutions and practices. Thus, democratic consensus may be particularly difficult to achieve where deep cultural and socio-economic cleavages contribute to competing demands and high expectations which cannot be met, at least in the short term.

5. Democratic development can be seen as a process that encourages and supports transparent, free, full and equitable public participation in the entire spectrum of social, political and economic activities of the State. Democratic elections are necessary and the most visible elements and manifestations of democratic development. They are not, however, a sufficient

guarantor of democracy. Democracy relies on institutions and is based on ongoing processes which extend beyond elections: they must be and become rooted in national culture and traditions.

The role of the United Nations in electoral processes

6. Over the years, the United Nations and its various services and commissions have provided a wide variety of services and assistance in the field of electoral processes to Governments that have so requested. These were rendered within the scope of existing programmes, which aim at further promoting friendly relations among nations, strengthening international comprehension, ensuring international peace and security and international cooperation and at promoting and encouraging respect for human rights and fundamental freedoms for all without distinction of race, gender, language or religion.

7. More recently, the United Nations has participated in various activities promoting the right of all citizens to participate in the selection of the government of their choice. The United Nations has monitored and carried out plebiscites, referenda and elections as its contribution to the peaceful settlement and the resolution of disputes. In Namibia, Haiti and Nicaragua, the United Nations assisted in securing international peace and security by strengthening the popular expression of democratic processes. These activities were only possible because of the agreement of all concerned, including the Member States, that the Organization undertake such activities. Hopefully, the same process will take place in the Western Sahara and in Cambodia.

8. By its nature, composition and programmes, the United Nations like other organizations, such as the Commonwealth and la Francophonie, the Organization of American States, the Conference for Security and Cooperation in Europe, the Organization of African Unity and the Arab League, are well suited for representing and enhancing the comprehension of social and cultural components in which the democratic process must manifest itself.

Criteria for responding to requests for assistance

9. International electoral assistance can play an important role in establishing confidence in democratic development and the electoral process. Decisions related to the provision, composition and the mandate of electoral missions are ultimately "political", since they can only be based on and formulated in response to a specific request by all or a significant majority of the political entities governing and competing for electoral success within a State.

10. As a critical first step in responding to a request for assistance, the Organization must consider the origins of the demand. Unless there is a request from the competent and recognized authorities of a Member State, provision of such assistance could be construed as interference in the domestic and internal affairs of the Member State. This explains why some

requests could not and should not receive a response. The various mechanisms inherent in the provision of assistance by the United Nations should, however, ensure that such electoral assistance does not encroach on the sovereignty of Member States.

11. Other criteria must also be considered when deciding on the delivery of electoral assistance. Provision of electoral assistance should also be contingent on full and unhindered access to the process by those assisting in it, freedom for the United Nations or foreign experts to express fully and independently their views on the process and the purpose of their assistance, and the opportunity to deliver the expertise that they have been sent to provide. Only if and when the competent authorities of the requesting State consent fully to this kind of assistance will electoral assistance be of any value to the democratic development and the democratic process within that State.

12. Regional institutions and organizations are often the first point of contact for the request for and the provision of multilateral electoral assistance. However, while most regional institutions and organizations have a legitimate interest in, and the capability of providing such electoral assistance, a request to the United Nations would indicate a strong desire to go beyond what is usually expected within a given regional organization. Whenever possible, priority should be given to cooperation and coordination between regional organizations and the United Nations in the provision of electoral assistance in order to avoid duplication.

13. The Secretary-General should have the authority to decide if and when electoral assistance is warranted and should be granted. This authority should be inherent in the powers of the Secretary-General. The Secretary-General should, however, report annually to the General Assembly on individual requests for and the provision of electoral assistance.

Electoral assistance or electoral mission

14. Canada defines an electoral mission as the support and assistance provided to the electoral process in a Member State at the explicit request of that State. Such an electoral mission will usually consist of several elements. This could include participation in the drafting or amending of an electoral law, support to, or (if so requested), organization of the registration process, and observation of any or all stages of the electoral process, including the election itself and the transition period leading to the transfer of powers to the newly elected representatives.

15. Over the past years, Canada has responded to requests to provide electoral assistance by making available electoral technicians and electoral observers, and in some instances by supplying electoral goods and services. This assistance was provided either through bilateral or multilateral channels, including missions in Eastern Europe, Central America, Asia and Africa. Canada's demonstrated ability to provide impartial experts and

observers has resulted in increasing demands for such assistance. Whenever and wherever possible, Canada prefers to participate in such electoral missions under multilateral auspices.

16. Technical expertise and impartiality are the essential attributes of such electoral assistance. Without them, such assistance could be construed as interference in the internal affairs of a State, a state of affairs that should be avoided at all costs. This explains Canada's preference for a multilateral approach to the provision of electoral assistance.

17. Electoral assistance should and must be considered as a component of the democratic process and the strengthening of international peace and security. Electoral assistance should not and must not be viewed exclusively as a question of "electoral observers". As previously stated, for Canada, electoral assistance consists of several elements: electoral assistance could be provided at any stage after the announcement of (or even the declaration of clear intent to hold) an election and should end at the end of the transition period when the newly elected representatives are assuming their responsibilities. Electoral assistance includes participation in, support to, organization of and ultimately observation of any or all stages of the electoral process, in order to ensure, at the request of a Member State, that the process is transparent, fair, free and democratic.

A role and a capability for the United Nations

18. Over the years, the United Nations electoral assistance has been on an ad hoc basis, responding to each request as it was submitted. The success of this electoral assistance has been striking. However, the United Nations had not been engaged as regularly or as frequently as some regional organizations in electoral assistance activities. This situation, as well as the financial implications of such activities, could have a serious impact on the provision and the future of electoral assistance by the United Nations.

19. For an optimum utilization of the Organization's resources, some pooling of other national resources could be advantageous. A panel of impartial experts and technicians in electoral assistance and electoral processes could be assembled to establish some parameters for all possible aspects of United Nations electoral assistance programmes. This panel could recommend to the General Assembly, through the Secretary-General, modalities and premises to ensure that adequate electoral assistance is available.

20. The main problem one can foresee, at this juncture, as far as the provision of electoral assistance is concerned, is the funding of any electoral mission. For its part and as an integral part of its foreign policy objectives and tools, Canada has established special funds to finance Canadian electoral missions; Canada is considering ways and possible modalities for responding to other requests for electoral assistance which are outside the purview of these special funds.

21. For the United Nations, funding for electoral missions should be provided by a mixed system of voluntary and assessed contributions. A special budget

item for this purpose could be established to allow the Organization to prepare the appropriate preliminary analysis, plan and budget for any electoral mission. In the case of electoral missions being part of a more complex programme of assistance by the United Nations, such as electoral assistance being part of a peace-keeping or peace-making operation, funding for these electoral missions should be incorporated and included in the overall budget approved (on the basis of assessed contributions) for these operations. Whenever an electoral mission is mounted pursuant to a General Assembly resolution, the budget and funding for these missions should be decided by the General Assembly and based on the mixed system of voluntary and assessed contributions. However, no electoral mission should be undertaken until the appropriate budget and funding have been decided.

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